

REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1, 14 and 27 are amended. Claims 1-27 are pending.

I. Rejections under 35 U.S.C. § 103

In the Office Action, at page 3, numbered paragraph 5, claims 1, 5-7, 11, 14, 18-20, 24 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,668,948 to Belknap et al. in view of U.S. Publication No. 2002/0145702 to Kato et al. This rejection is respectfully traversed because the combination of the teachings of Belknap and Kato does not suggest:

analyzing information of streaming media source files, and processing a client's requirements to obtain a splitting requirement of the streaming media source files into clip files, the splitting requirement being the manner in which the media source files are split, the splitting requirement being one of clip placement based on clip time and clip placement based on quantity of clip splitting;

defining a split files placement strategy and analyzing a clip file allocating requirements, according to the client's requirements;...and

distributing the clip files to relevant storage server nodes, according to the split files placement strategy,

as recited in amended independent claims 1 and 14.

As conceded by the Examiner, Belknap does not discuss or suggest processing a client's requirements to obtain a splitting requirement of streaming media source files into clip lines, the splitting requirement being one of clip placement based on clip time and clip placement based on quantity of clip splitting, and then defining a split files placement strategy and analyzing a clip file allocating requirements. The Examiner indicates that Kato makes up for the deficiencies in Belknap. The Applicants respectfully disagree.

Kato discusses that the user designates information as to either specifying the playback domain of the AV stream or specifying the character letters for explaining the contents of the playback domain, or information such as bookmarks or resuming points set by the user for his or her favorite scene (paragraph 0149). Kato further discusses that the multiplexer 16 multiplexes an input stream, based on the information input from the controller 23 (after the user inputs information as to, for example, specifying the playback domain of the stream).

Kato does not discuss or suggest that a user inputs a splitting requirement for how to split the streaming media source files. Kato discusses only that a user is able to input information as to specifying the playback domain, but Kato does not suggest that when the user inputs the user designation information, such is a splitting requirement of how the media source files are split into clip files, where the requirement is either of clip placement based on clip time or clip placement based on quantity of clip splitting.

Kato discusses only that the user can input information as to specifying a playback domain, for example, but does not suggest that this information is used for either clip placement based on clip time or clip placement based on quantity of clip splitting. The user's input information is not a splitting requirement. A splitting requirement is inherently how it is required to split the media source files. Kato discusses only that a user is able to edit the AV stream in a specific manner (e.g., creating a playback route of reproducing a portion sung by a singer A from a song program A and subsequently reproducing a portion sung by the same singer A from another song program B). Kato does not suggest that the user is sets a splitting requirement of splitting the media source files into clip files.

In contrast, in the present invention of claim 1, for example, based on the user's requirements, the streaming media is divided based on the same time length or based on the same space size. Thus, the manner in which the streaming video source is split is the splitting requirement.

Kato, on the other hand, does not establish a requirement for how to split the media source files into clip files, but merely provides for the user to specify a playback domain of the media stream. However, this is not designating the requirement for how to split the media stream.

Further, Kato does not suggest that a split files placement strategy is defined, according to the client's requirements. In particular, Kato does not suggest that a split files placement strategy is defined according to more than one type of client requirement – either based on clip placement based on clip time or clip placement based on quantity of clip splitting.

Additionally, the Examiner alleges, in suggesting that it would have been predictable to incorporate Kato into Belknap, that "one skilled in the art would have readily recognized a system and method of producing quality streaming video." This is not an apparent reason with rational underpinning as to why one of ordinary skill in the art would have combined the teachings of Belknap and Kato to suggest all the features of claim 1, particularly with regard to

processing a client's requirements to obtain a splitting requirement of the streaming media source files into clip files.

Therefore, as the combination of the teachings of Belknap and Kato does not discuss or suggest "...processing a client's requirements to obtain a splitting requirement of the streaming media source files into clip files, the splitting requirement being one of clip placement based on clip time and clip placement based on quantity of clip splitting; [and] defining a split files placement strategy and analyzing a clip file allocating requirements, according to the client's requirements," as recited in amended independent claims 1 and 14, claims 1 and 14 patentably distinguish over the reference relied upon. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

Also, the combination of the teachings of Belknap and Kato does not discuss or suggest "obtaining a splitting requirement of the streaming media source files into clip files based on the client's requests information, the splitting requirement being the manner in which the media source files are split, the splitting requirement being one of clip placement based on clip time and clip placement based on quantity of clip splitting; [and] creating data placement strategies," as recited in amended independent claim 27. Therefore, claim 27 patentably distinguishes over the reference relied upon. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

Claims 5-7, 11, 18-20 and 24 depend either directly or indirectly from amended independent claims 1 and 14 and include all the features of their respective independent claims, plus additional features that are not discussed or suggested by the references relied upon. For example, claim 11 recites that "the client's requirements include obtaining and analyzing splitting time requirements and clip placement strategy." Therefore, claims 5-7, 11, 18-20 and 24 patentably distinguish over the reference relied upon for at least the reasons noted above. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

In the Office Action, at pages 13-20, numbered paragraphs 6 and 7, claims 2-4, 8-10, 12-13, 15-17, 21-23 and 25-26 were rejected under 35 U.S.C. §103(a) as being unpatentable over various combinations of Belknap, Kato, U.S. Publication No. 2003/0236912 to Klemets et al. and U.S. Patent No. 5,530,557 to Asit et al. These rejections are respectfully traversed.

As discussed above, the combination of the teachings of Belknap and Kato does not suggest all the features of amended independent claims 1 and 14. Klemets and Asit fail to make up for the deficiencies in Belknap. Therefore, claims 1 and 14 patentably distinguish over the references relied upon.

Claims 2-4, 8-10, 12-13, 15-17, 21-23 and 25-26 depend either directly or indirectly from independent claims 1 and 14 and include all the features of their respective independent claims, plus additional features that are not discussed or suggested by the references relied upon. For example, claim 8 recites that "the splitting task list is produced by analyzing the media source files to find a space and time deviation of each clip file and a range of a serial number of the network packet." Therefore, claims 2-4, 8-10, 12-13, 15-17, 21-23 and 25-26 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Conclusion

In accordance with the foregoing, claims 1, 14 and 27 have been amended. Claims 1-27 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

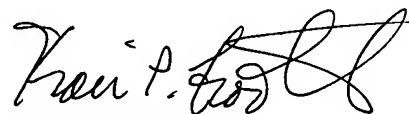
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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